

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12417, of American Federal Saving and Loan Association, pursuant to Sub-section 8207.2 of the zoning Regulations, for a special exception (Paragraph 3104.44) to permit continuation of a parking lot in the R-4 District at rear of 211-215 - 3rd Street, S.E., (Square 762, Lot 828).

HEARING DATE: May 24, 1977

DECISION DATE: May 24, 1977 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located in an R-4 Zone District.
2. This property is currently operating as a parking facility pursuant to this Board's previous Order 11969, dated November 13, 1975.
3. The applicant proposes to continue this parking facility.
4. The subject property is an alley lot, approximately 1,120 square feet in area. It is bordered on the south and west by twenty (20) foot public alleys. To the east and north are the garages of a group of townhouses fronting on 3rd Street, S.E. To the west and south are private garages and a parking area which serves an apartment building fronting on C Street, S.E.
5. The parking facility will accommodate eight (8) cars, and services the needs of the employees of the American Savings and Loan Association during the daytime hours, and is accessible to the neighborhood residents at night and on weekends. The lot is non-attended and unlighted.
6. The applicant has requested a deletion of condition B of Order 11969, requiring the erection and maintenance of an eight (8) inch coping along each side of all driveways to protect the public space. The Board realizes that since this is an alley lot with no driveway, and the only access is from 3rd Street, through

the twenty (20) feet wide public alley abutting the lot on the south, the applicant should not have to carry out the responsibility of condition B. The Board finds that the previous conditions of Order 11969 are unreasonable, and should not have been imposed upon the applicant,

7, The Capitol Hill Restoration Society, Inc., by report dated May 24, 1977, recommended approval of this application,

8. The Municipal Planning Office, by report, dated May 12, 1977, recommended approval of this application,

9. There was no opposition to the granting of this application.

CONCLUSIONS OF LAW AND OPINION:

Based on the above Findings of Fact, and the evidence of record, the Board concludes that the applicant has complied with the provisions of Article 74 of the zoning Regulations. The Board further is of the opinion that because of the size of the lot, the good maintenance and the nature of the surrounding uses, there will be no adverse affect upon the present character of future development of the neighborhood. In addition, the Board concludes that no objectionable traffic conditions will result from this use. The lot is reasonably convenient and necessary to the surrounding neighborhood. It is therefore ORDERED that this application is hereby GRANTED subject to the following conditions:

- a. Condition "B" of Order 11969 is hereby deleted.
- b. This application is hereby GRANTED for a period of five (5) years beginning November 13, 1975 and expiring November 13, 1980,
- c. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- d. No vehicle or any part thereof shall be permitted to project over any lot or building line or over the public space,
- e. All parts of the lot shall be kept free of refuse and debris and shall be paved or landscaped, Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance. Landscaping plans must be approved by the Department of Highways and Traffic.

- f. No other use shall be conducted from or upon the premises and no structure other than an attendant's shelter shall be erected or used upon the premises unless such use or structure is otherwise permitted in the zoning district in which the parking lot is located.
- g. Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot,

The Board reserves that right to direct revocation of the Occupancy permit upon a property showing that any terms or conditions of this ORDER have been violated,

VOTE: 4-0 (Charles Norris, Walter B. Lewis, William F. McIntosh and Leonard L. McCants, Esq.)

BY ORDER OF THE D. C, BOARD OF ZONING ADJUSTMENT

ATTESTED BY:



STEVEN E. SHER

Executive Director

FINAL DATE OF ORDER: 25 JUL 1977

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER,